

1  
2  
3  
4  
5  
6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 GEORGE CORRELL,

10 Petitioner,

11 v.

12 UNITED STATES OF AMERICA,

13 Respondent.

Case No. C07-0460RSL

ORDER EXTENDING TIME TO  
FILE NOTICE OF APPEAL

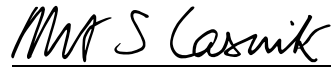
14 This matter comes before the Court on petitioner's "Motion for Extension"  
15 of time in which to file a notice of appeal. Pursuant to Fed. R. App. P. 4(a)(5), the Court  
16 may extend the time to file an appeal in the above-captioned matter if (1) the motion to  
17 extend is filed within ninety days after the judgment or order appealed from is entered  
18 and (2) the moving party shows excusable neglect or good cause.

19 The Court finds that petitioner's motion for an extension of time was filed  
20 within 90 days of the entry of judgment. Petitioner asserts that he suffered a "severe  
21 medical emergency which required hospitalization and recovery" and has provided a  
22 medical bill indicating that he was hospitalized in mid-January, just before his notice of  
23 appeal was due. Given the timing of his illness, the Court finds that petitioner's neglect  
24 was excusable: his request for an extension of time in which to appeal is, therefore,

25 ORDER EXTENDING TIME TO  
26 FILE NOTICE OF APPEAL

1 GRANTED. The Clerk of Court is directed to accept petitioner's "Motion for Certificate  
2 of Appealability" (part of Dkt. # 18) as his notice of appeal.

3  
4 Dated this 25th day of February, 2008.

5 

6 Robert S. Lasnik  
7 United States District Judge  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25